

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Kenneth T. Heruth; Keith A. Miesel	Confirmation No.	8230
Serial No.:	10/825,955	Filed:	April 15, 2004
Examiner:	Jeffrey Gerben Hoekstra	Group Art Unit:	3736
Docket No.:	1023-362US01	Customer No.:	28863
Title:	COLLECTING ACTIVITY AND SLEEP QUALITY INFORMATION VIA A MEDICAL DEVICE		

CERTIFICATE UNDER 37 CFR 1.8 I hereby certify that this correspondence is being transmitted via the United States Patent and Trademark Office electronic filing system on January 8, 2009.

By: Arrendle Brown
Name: Arrendle Brown

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Issue Fee
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449.

This statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.311 or after any other action that closes prosecution on the application, but before the payment of the issue fee. Please charge Deposit Account No. 50-1778 in the amount of \$180.00 for the fee set forth in 37 C.F.R. § 1.17(p). This statement is submitted as certified below under 37 C.F.R. § 1.97(e)(2) by the undersigned.

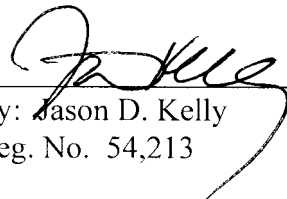
Certification Under 37 C.F.R. § 1.97(e)(2)

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that to the knowledge of the undersigned after making reasonable inquiry, all references listed on the enclosed Form 1449 were not known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

Respectfully submitted,

Date: 1-8-09

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